

COMMISSION ON COMMON OWNERSHIP COMMUNITIES
Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday, October 7, 2020

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:05 pm by Chairman Mark Fine.

Commissioners present: [13] ANDERSON, FINE, GARDNER, GELFOUND, GIZA, GRUBER, MOORE, MURTHY, MYO KHIN, PERPER, SMITH, STEINBACH, VINEY, & YOUNG

Commissioners absent: Two (2) Vacancies

Staff present: Tim Goetzinger, DHCA Director of Finance; Walter Wilson, Esq., Associate County Attorney;
Staff: Ife Fabayo & Mark Anders, Esq.

Guests: David Polinshy, Rand Fishbein, Jim Cagley, Sheila Cogen, Jenny Green, Jaqueline Irby, Tom Rand.

1. Commissioner Fine moved to bring a report on distressed communities funding forward, to follow Community Forum, with Commissioner Myo Khin seconding. The motion was approved by unanimous consent.
2. **Approval of Minutes:** Chairman fine asked if there were any corrections to the minutes of the September, 2020 monthly meeting, Vice Chair Myo Khin stated that under committee reports, the I/T committee met and discussed several I/T projects under way. He also stated that he requested that each committee submit their budget to the I/T-Budget committee for review. Being no further corrections, Commissioner Smith motioned to approve the corrected minutes with Commissioner Viney seconding. The motion was approved by the twelve (12) Commissioners, with Commissioner Gruber abstaining. (not present in September)
3. **Community Forum:** No Comments

4. **Submission of disputes for Commission consideration:**

Jurisdiction – Default cases:

#2021-010, Montgomery Century Condominium, Inc. v Anchula, et al.-After discussion on points 1 and 2 of the complaint, Commissioner Smith moved to accept point 1 only of the complaint, File a copy of the lease with Complainants, in accordance with Article X, Section 2 of the By-laws; Commissioner Perper seconded the motion, in discussion Commissioner Viney inquired as to why point 2 did not go to landlord/tenant. Mr. Wilson agreed that even though point 2 was withdrawn, if it violated §29.16 of the code, it would go to landlord/tenant, but if it violates the by-laws, it would come before the commission, under §10.3 of the code. The motion passed unanimously.

Jurisdiction - Contested cases:

#2020-055, Jacqueline Irby v. Georgian Colonies Condominium Association – Commissioner Smith moved to deny jurisdiction, Commissioner Viney seconding. After discussion the motion was carried by a majority vote: Eleven (11) Commissioners voted to deny jurisdiction, Commissioners Gardner and Fine recused.

5. **Decisions & Orders Issued:** None

6. **Decisions & Orders on Appeal:**

#2018-040, Dillin et al, v. The Willoughby of Chevy Chase and

#2018-061, Nadri v. The Willoughby of Chevy Chase (consolidated) – CCOC decision upheld in Circuit Court; appealed to Court of Special Appeals, **decision of Appellate Court in packet**

#2019-070, Washington v. Silverton Condominium – **Decision in Packet (Not for open discussion)**

#2019-038, Kenny v. Council of Unit Owners of Cherington Condominium - **assigned an Administrative Appeal, Judge Lease**

#2018-037, Longmead Crossing v. Hypolite – **Court of Special Appeals hearing scheduled for 10/5/20**

7. **County Attorney’s report:** Decision & Order(s) under review by Mr. Wilson – None

8. **DHCA status report:** Mr. Goetzinger presented the September 2020 report. He noted that for the 1st time, Architectural type complaints were not the number one complaint, Meeting issues surpassed them this year. Commissioner Gisa asked where DHCA received their stats. He was told all of the DHCA stats come from the I/T group of DHCA.

9. **Chairman’s Report:**

- Upcoming webinar on Solar energy geared towards HOA’s is scheduled for 10/20/2020 at 6:30 (Tuesday)
- The last 3 webinar “MP4’s have been loaded onto the website for public re-viewing, they are located in the “Training and Webinar” section, under webinars.
- “Staff’s Guide to the Procedures & Decisions of the CCOC” revised and on website in the “Law Library”
- The Director Training program chapter on insurance has been updated to reflect the 2020 amendment to Condo Act raising insurance deductible to a maximum \$10,000, a second short video sponsored by the Maryland Insurance Commission has been added. We are also adding some information provided by the Maryland Insurance Commission to the website for homeowner review.
- The Commissioner vacancy announcement closed on September 30, and the applications should be received any time.
- CCOC Annual Report ready for presentation to Council & County Executive
- Updating Board Training videos
- Changes to committees: Legislation & Budget now Legislation & Process and Procedures, IT & Process and Procedures not IT & Budget.
- The Chair again stressed that all committees MUST have their written report submitted 10 days prior to the Commission Meeting date to be discussed.

10. **Committee reports:**

a. Education Outreach Committee

[Members: Commissioners Fine & Anderson, Gelfound, **Giza [Chair]**, Moore, Perper, Smith, Steinbach, & open slot] Discussion of Logistics and summary documents was presented.

b. Legislation & Process and Procedures Committee

[Members: Commissioners Fine & **Gardner [Chair]**, Gelfound, Moore, & Viney] Commissioner Gardner reported on potential changes to 10B.

c. Information Technology & Budget Committee

[Members: Commissioners Fine & **Myo Khin [Chair]**, Murthy, & Gruber] Commissioner Myo Khin reported that the I/T – Budget committee would be meeting with the Chair of the commission to discuss Budget and I/T issues.